

Prob12B
D/NV Form
Rev. June 2014

United States District Court
for
the District of Nevada

**REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER**
Probation Form 49 (Waiver of Hearing) is Attached
May 17, 2022

Name of Offender: **Elias Cordero-Perez**

Case Number: **2:21CR00066**

Name of Sentencing Judicial Officer: **Honorable Richard F. Boulware**

Date of Original Sentence: **March 16, 2021**

Original Offense: **Deported Alien Found in the United States**

Original Sentence: **35 Days prison, followed by 36 Months TSR.**

Date Supervision Commenced: **March 16, 2021**

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

1. **Substance Abuse Treatment** – You must participate in an outpatient substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). You must pay the costs of the program.

CAUSE

By way of case history, Cordero-Perez was sentenced by your Honor on March 16, 2021 to time served followed by 3 years of supervised release for committing the offense of Deported Alien Found in the United States. Supervised release commenced March 16, 2022. At time of sentencing the only special condition ordered by Your Honor was deportation compliance. On October 29, 2021, Your Honor added condition for warrantless search.

The purpose of this report is to inform Your Honor violation conduct and to request modification to conditions to include substance abuse treatment. Cordero-Perez tested positive for methamphetamine on April 14, 2022 and May 2, 2022. Cordero-Perez denied any illegal drug

RE: Elias Cordero-Perez

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use on both occasions. The samples were sent to the nationally contracted laboratory for analysis and confirmed positive for methamphetamine.

As a corrective measure, Cordero-Perez was counselled on the dangers of illegal drug use and warned that any further illegal drug use will result in punitive action, up to initiating revocation proceedings. Cordero-Perez will continue to be monitored with increased home/office visits and drug testing. Additionally, Cordero-Perez will be referred to substance abuse treatment to determine the appropriate level of treatment.

Cordero-Perez was presented with waiver to modify his conditions to include Substance Abuse Treatment. This condition will allow the probation office to keep the court informed of the conduct and conditions of Cordero-Perez; and bring about improvement in his conduct and condition. Cordero-Perez has agreed to the modification as witnessed by his signature on the attached waiver (PROB 49).

Respectfully submitted,



Digitally signed by
Javier Muruato-Cortez
Date: 2022.05.17
14:42:55 -07'00'

Javier Muruato
U.S. Probation Officer

Approved:



Digitally signed by Todd
Fredlund
Date: 2022.05.17 14:40:55
-07'00'

Todd J. Fredlund
Supervisory United States Probation Officer

RE: Elias Cordero-Perez

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Rev. June 2014

THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- ☒ The modification of conditions as noted above
- ☐ Other (please include Judicial Officer instructions below):



RICHARD F. BOULWARE, II
United States District Judge

May 18, 2022
Date

PROB 49
(3/89)

UNITED STATES DISTRICT COURT

District of Nevada

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

Substance Abuse Treatment – You must participate in an outpatient substance abuse treatment program and follow the rules and regulations of that program. The probation officer will supervise your participation in the program (provider, location, modality, duration, intensity, etc.). You must pay the costs of the program.

Witness


U.S. Probation Officer

Signed


Probationer or Supervised Releasee

5-16-2022
Date